

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission **4**Application Number **09/828,564**Filing Date **April 6, 2001**First Named Inventor **Joshi, Dr. Yogendra**Group Art Unit **3743**Examiner Name **Patel, Nihir**Attorney Docket Number **361007-000012****ENCLOSURES (check all that apply)**

- Fee Transmittal Form
 Fee Attached
 Amendment / Reply
 After Final
 Affidavits/declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Documents
 Response to Missing Parts/ Incomplete Application
 Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers
(for an Application)
 Drawing(s)
 Licensing-related Papers
 Petition
 Petition to Convert to a Provisional Application
 Power of Attorney, Revocation
 Change of Correspondence Address
 Terminal Disclaimer
 Request for Refund
 CD, Number of CD(s) _____

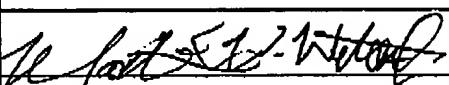
- After Allowance Communication to Group
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Other Enclosure(s) *(please identify below):*

RECEIVED

DEC 19 2002

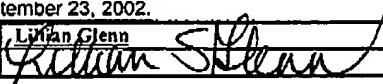
TECHNOLOGY CENTER R3700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	MOORE & VAN ALLEN MATTHEW W. WITSIL, REG. NO. 47,183	
Signature		
Date	September 23, 2002	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmitted via facsimile to (703) 746-7711 to: Commissioner for Patents, Washington, DC 20231 on this date: September 23, 2002.

Typed or printed name	William Glenn	Date	September 23, 2002
Signature			

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

DUR11325373_1

Attorney Docket No. 361007-12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Joshi et al.)
Serial No.: 09/828,564) Examiner: Patel, Nihar B.
Filed: April 6, 2001) Group Art Unit: 3743
For: Orientation-Independent)
Thermosyphon Heat Spreader)

Commissioner for Patents
Washington, DC 20231

APPLICANTS' REPLY TO ELECTION OF SPECIES REQUIREMENT

Sir:

In an election of species requirement mailed on August 23, 2002, the Examiner indicated a belief that the subject application included six patentably distinct species of the claimed invention:

Figures 1-13
Figure 14
Figure 15
Figure 16
Figure 17
Figure 18.

RECEIVED
DEC 19 2002
TECHNOLOGY CENTER R3700

Provisional Election with Traverse

Figures 1-13 are provisionally elected with traverse. Claims 1-3, 7-12, 14, 17-32, and 36-43 read on Figures 1-13. The election of species requirement is submitted to be improper in that the Examiner stated that there are currently no generic claims. For

Serial No.: 09/828564

example, claim 1 is generic with respect to claims 1-42 and claim 39 is generic with respect to claims 40-42.

If the Examiner has any questions about the present traverse or anticipates rejecting the Applicant's position regarding generic claims, a telephone interview is respectfully requested.

Respectfully submitted,

Date: September 23, 2002



Matthew W. Witsil
Registration No. 47,183
Moore & Van Allen
Attorney for Applicants
2200 West Main Street, Suite 800
Durham, NC 27705
(919) 286-8000 (telephone)
(919) 286-8199 (facsimile)

DURH260847_1